

Appl. No. 10/669,671

**REMARKS**

Claims 28, 31-35, 39-40 and 42-44 are cancelled. Claims 1-7 are pending in the application.

Applicant acknowledges the Examiner's indicated allowability of claims 1-7.

Claims 39, 40 and 42-44 stand rejected under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter the applicant regards as the invention. The Examiner indicates that the claim 39 recited deposition rate ratio and variance renders the claim unclear. Without admission as to the propriety of the Examiner's statement, independent claim 39, and claims 40 and 42-44 which depend therefrom, are cancelled.

Claims 28 and 31-35 stand withdrawn from consideration as being directed toward a non-elected invention. Claims 28 and 31-35 are cancelled in order to allow the application to proceed to issuance.

Since the only claims which remain pending in the application (1-7) are those indicated by the Examiner to be allowable, the application is in condition for immediate allowance. Accordingly, applicant requests formal allowance of claims 1-7 in the Examiner's next action.

Respectfully submitted,

Dated: January 24, 2006

By: Jennifer J. Taylor  
Jennifer J. Taylor, Ph.D.  
Reg. No. 48,711

S:\M22\2145\M04.doc

5